United Nations E/C.12/2016/SR.62

Economic and Social Council

Distr.: General
30 September 2016

Original: English

Committee on Economic, Social and Cultural Rights

Fifty-ninth session

Summary record of the 62nd meeting

Held at the Palais des Nations, Geneva, on Tuesday, 27 September 2016, at 10 a.m.

Chair: Mr. Sadi

Contents

Consideration of reports (*continued*)

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

Second periodic report of Lebanon (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of the present document* to the English Translation Section, room E.6040, Palais des Nations, Geneva (trad_sec_eng@unog.ch).

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.16-16766 (E) 290916 300916

1616766

Please recycle

The meeting was called to order at 10.05 a.m.

Consideration of reports (*continued*)

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

Second periodic report of Lebanon (continued) (E/C.12/LBN/2; E/C.12/LBN/Q/2 and Add.1)

1. *At the invitation of the Chair, the delegation of Lebanon took places at the Committee table.*

2. **Ms. Riachi Assaker** (Lebanon) said that there were currently 1,600,000 Syrian refugees present in Lebanon, around 73 per cent of whom were women or children. Consequently, the country had one of the highest population densities in the world, at 400 inhabitants per square kilometre. Of the 500,000 Syrian children of school age in Lebanon, over 150,000 were provided with education. The Syrian refugee population was spread out across 1,700 locations, including 360 poor communities. In some places, Syrians outnumbered the local population. Almost half of the refugees were young workers, who competed with Lebanese nationals in a number of sectors. Unemployment in Lebanon had risen to 35 per cent since the beginning of the Syrian refugee crisis. Consequently, the Government of Lebanon could not be expected to provide equal job opportunities for Syrian refugees, as even Lebanese citizens currently had difficulty finding employment. Although Lebanon was not party to the 1951 Convention relating to the Status of Refugees, the country had never closed its borders to refugees and had done much more to alleviate their suffering than many States parties to that instrument. In order to protect the Lebanese model of coexistence between different communities, Syrian refugees had been granted temporary, rather than permanent, residence in the country. The international community's response to the Syrian refugee crisis had been disappointing and marked by broken promises.

3. **Mr. Arafa** (Lebanon) said that Palestine refugees, who had been accorded special status under international law as a result of the atrocities committed against them by the forces occupying their land, did not fall within the scope of article 1 (D) of the 1951 Convention relating to the Status of Refugees and, consequently, could not be integrated into the local population of a given host country on a permanent basis. Furthermore, resolution 194(III) of 1948 of the General Assembly of the United Nations called for the refugees to be allowed to return to their homes and, where necessary, to be paid compensation.

4. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) had been set up to provide assistance to Palestinians housed in official refugees camps. However, the Agency, which did not run the camps itself, was underfunded, lacked support and had been obliged to shut down some of its programmes, including a certain number in the occupied Palestinian territories. Lebanon could not be expected to shoulder the responsibilities of the international community in that regard.

5. As to the general legal framework covering Palestine refugees in Lebanon, the State party had opened its borders to that population group before the 1951 Convention relating to the Status of Refugees had even existed. At that time, no one could have predicted that, seven decades on, the Palestine refugees would still be waiting to return home. Repeated acts of aggression against Lebanon carried out by Israel had made it impossible for Lebanese legislators to examine the legal framework governing the refugees, who were currently viewed either as Arab nationals, foreigners or stateless persons. A Palestinian-Lebanese committee attached to the office of the Prime Minister had been set up in 2005 to discuss issues related to the refugees.

6. Official Palestine refugee camps were located on land allocated for that purpose at considerable expense to the State. The Government provided free basic services, such as electricity, waste collection, sanitation and drinking water, within those camps. In 2007, the Government, UNRWA and a number of donor countries had launched an initiative designed to improve living conditions in a number of Palestine refugee camps through the renovation of infrastructure and accommodation. The Government lacked the resources to improve conditions in the unofficial camps, which were home to 40 per cent of all Palestine refugees present in the State party. Act No. 296 of 2001 prohibited foreign nationals from acquiring real estate in Lebanon, although Palestinians could inherit land and housing. The Department of Health and UNRWA had signed an agreement on access to public hospitals for Palestine refugees, under which the State paid 25 per cent of any corresponding medical fees, exempted the drugs used from tax and met the cost of dialysis, vaccinations and certain treatments for chronic illnesses. Palestinians were free to move throughout the country and official and unofficial refugee camps, and they were currently being issued with biometric travel documents that met international standards. Lebanese security force checkpoints had been set up at the entrances to refugee camps where wanted criminals were present. Around 5,000 Palestinians who had recently arrived in Lebanon, either legally or illegally, had been issued with identity cards allowing them to move freely within the national territory and to access the services provided by UNRWA.

7. **Ms. Slaylati** (Lebanon) said that, in line with the official stance of the League of Arab States, most Arab countries provided humanitarian aid and social assistance to Palestine refugees but did not grant them citizenship, for fear of diluting their national identity and of lessening the likelihood of their returning to their country of origin.

8. The Government had put in place policies guaranteeing affordable accommodation for all and ensuring that evictions were carried out in accordance with international standards. Members of the public wishing to purchase homes could obtain credit through a number of banks and funds and had access to 20-year mortgages. Young persons, members of the armed forces and civil servants benefited from special housing loans. A number of religious organizations had built affordable housing in semi-rural areas. Persons left homeless or displaced by conflict in the State party received funding to rebuild their houses, construct new accommodation or return home. The Government of Italy had donated €5 million to reconstruction efforts in the State party. An agency responsible for displaced persons had begun building a large number of apartments in Tripoli. The Council of the South had been set up to provide the inhabitants of southern Lebanon with social services and compensation, enabling them to repair the damage wrought upon their homes by the Israeli armed forces. A number of agreements had been signed between national banks and public bodies related to the provision of housing loans to Lebanese displaced persons. Homeownership was common in Lebanon. During the Lebanese civil war, tenancy agreements had been automatically extended, regardless of their terms. In 1992, legislation had been introduced extending all tenancy agreements predating 23 July 1992 and index-linking them to fluctuations in living costs. Under the Rent Act of 2014, the above-mentioned tenancy agreements could be extended for a maximum of nine years, during which period evictions were only authorized in cases of demolition or for family reasons and evictees must be paid compensation. Furthermore, the amount of rent due was gradually increased. The Act also made provision for a fund to assist tenants earning more than double but less than triple the minimum monthly wage and for a further extension of their tenancy agreements by three years. However, owing to the current refugee crisis affecting the State party, the fund had not yet been set up. The parties to tenancy agreements signed after 23 July 1992 enjoyed significant freedom in setting the terms of those agreements.

9. There were significant and increasing numbers of street children as a result of the large number of Syrian refugees entering the country. The Government's efforts to combat

the phenomenon included ratification of the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography, creation of the Supreme Council for Childhood and coordination with international organizations. The vast majority of street children were Syrian, and the Government endeavoured to protect them and reintegrate them into society, regardless of their nationality. The courts had intervened in cases involving street children on several occasions, and if parents were to blame, they could be prosecuted and their children placed in an institution. There was also a large-scale campaign to take children off the streets, as well as renewed efforts to prevent trafficking. Lebanese street children were protected by social protection measures such as placement with family members and designation of a social worker to monitor their case.

10. Children could lodge complaints of abuse, and general child protection measures included: guidelines for those working in the field; the raising of the age of majority to 18 years; stricter sanctions for crimes against children, particularly child pornography; medical reports for all children, regardless of nationality; and a television programme to raise awareness of the need to protect children. Girls and boys could enjoy their rights equally, and the number of images and films depicting the exploitation of girls had decreased. The Government had adopted a policy to reduce the number of families living in poverty.

11. **Ms. Bou Hamdan** (Lebanon) said that efforts to assist children who had been taken off the streets were hindered by a lack of institutions providing services for them, a problem that was worsened by the increasing proportion of Syrian street children. Work was therefore being undertaken with international organizations to secure financial support for such institutions.

12. With the assistance of grants from international donors, the Government had established a social security network and a programme to support the poorest Lebanese families. A family's poverty level, and therefore its entitlement to assistance from the programme, was measured through a range of social and economic indicators. Families living below the poverty line benefited from services including medical insurance and a monthly allowance. In total, the programme assisted around 460,000 families.

13. Persons with disabilities received assistance from the Ministry of Social Affairs, which contracted the services of specialized organizations. A programme was in operation to guarantee the rights of persons with disabilities by issuing cards that entitled them to free institutional care and services. Almost a third of the programme's staff had a disability. There was also a centre that worked to overcome the barriers to mainstream education faced by persons with disabilities. Support had been given to the mechanisms that guaranteed free access to health care for persons with disabilities, who also enjoyed other benefits, such as exemptions from municipal taxes. The Government bore the cost of housing for persons with disabilities who could not be cared for at home; there were currently over 18,000 persons living in institutions. However, increased funding for services for persons with disabilities was needed.

14. **Ms. Al Hajj** (Lebanon) said that the State party interpreted cultural rights broadly and prioritized respect for different cultures. Some minorities, such as the Kurdish community, were accordingly entitled to Lebanese citizenship and could practise their traditions freely, while sharing their culture with the wider society. Scholars and artists from those minorities were supported by the Ministry of Culture and could receive grants from an artists' solidarity fund. Although many gypsies and Bedouin held Lebanese citizenship, they did not enjoy cultural rights because of the equivocal attitude of Lebanese society.

15. **Ms. Georges El Khoury** (Lebanon) said that education was mandatory and free of charge. There was no conflict between Acts Nos. 686 and 150, although the latter had extended the age range for mandatory education and merged primary and intermediate education into a single category, "basic education", covering nine years. The Government was considering making early childhood education mandatory. Secondary and vocational education were important because they enabled students to access tertiary education.

16. Approximately one million pupils were attending schools in the country, whether public schools (1,246), free private schools subsidized by the Government (368) or fee-paying private schools (1,194). Enrolment rates for primary education were increasing and were currently around 90 per cent. However, rates for secondary education were decreasing because children in poor families were required to work. Most children who did not attend school lived in remote areas, which were targeted by campaigns at the beginning of each academic year.

17. Refugees made up approximately half of the country's population of school age and around two thirds of the pupils in public schools. The consequent strain on resources had hampered improvements to the education system. Measures were required to make curricula more interactive. Despite the refugee crisis, the State party was a leader in providing education for refugees and had developed a strategy in partnership with the United Nations and other donor States to ensure that all children received an education.

18. There were around 45,000 teachers working in the private sector. In the public sector, there were just over 70,000 permanent and just over 13,000 contractual teachers at the primary level, and more than 5,000 permanent and around 5,500 contractual teachers at the secondary level. A total of 2,170 people had passed an examination for secondary school teachers held in 2015, and plans were under way to help them into work. A centre for continuous training provided in-service training opportunities for teachers in order to improve the quality of education.

19. The Government bore the financial burden of educating the 63 per cent of students in public schools who were not Lebanese. The education authorities gave priority to Lebanese nationals during enrolment. A total of 90 schools had introduced an afternoon shift to accommodate the increased numbers of students. At all schools where refugee children were enrolled, healthy snacks were distributed and health-care counsellors provided outreach services on issues including drug use, reproductive health and nutrition.

20. The Ministry of Education and Higher Education worked in partnership with the Ministry of Social Affairs and civil society organizations to facilitate the integration of children with disabilities into mainstream schools and to ensure that the necessary equipment and infrastructure were in place. Support teams worked to help children with learning difficulties to integrate with their classmates. The Government was making efforts to implement programmes on, inter alia, the dangers of the Internet, conflict resolution and the development of life skills. Policies on bullying and on social and psychological support were also in preparation.

21. **Mr. Raad** (Lebanon) said that Lebanon had ratified all but one of the fundamental conventions of the International Labour Organization. The Ministry of Economy and Trade and the World Bank had collaborated on a pilot project to create jobs in the north of the country, which was to be replicated in other regions. The unemployment rate was 25 per cent, and no unemployment benefits were available. While companies were obliged to fulfil quotas on the number of persons with disabilities in their employ, the relevant oversight bodies did not have the power to punish those companies not meeting the quota. No statistics were available in that regard. National legislation gave priority to Lebanese citizens in the labour market. Labour inspectors had the authority to visit businesses and ensure that they were adhering to legislation on the minimum wage; however, proper

functioning of the inspections and oversight by the Ministry of Labour were hampered by a lack of personnel. There were currently 26 inspectors; a request to increase their numbers had not been approved by the Government.

22. While there had never been delays in wage payments, the authorities were currently operating a temporary scale, since the last budget had been adopted in 2005. With regard to verbal labour contracts, inspectors had the authority to conduct unannounced visits and to impose sanctions, including fines, on any employers failing to meet their legal obligations. The rights of persons working in the informal economy, such as street vendors and domestic and agricultural workers, were not protected by legislation. Amendments to the kafalah system had recently been proposed with a view to improving conditions for domestic workers, with no distinction made between Lebanese and foreign workers; that issue had been addressed in bills of law that were pending approval by Parliament.

23. While workers in the private sector had the right to join unions and to strike, foreign citizens were not allowed to vote in internal union ballots. Workers in the public sector did not have the right to strike. Members of the civil servants' association had participated in protests even though there were no legal provisions in place allowing them to do so; the authorities had turned a blind eye to such instances.

24. Approximately half of the population had medical coverage from one of the social security institutions. The Ministry of Health had recently removed charges for hospital stays for persons over the age of 74 years and had approved comprehensive health-care coverage for the most needy. Improvements had been made to medical services in the poorest parts of the country.

25. **Mr. De Schutter**, noting the onerous process that low-income families were required to go through in order to access cash transfer programmes, drew the delegation's attention to paragraph 17 of the Committee's statement on social protection floors (E/C.12/2015/1).

26. **Ms. Bras Gomes** noted the commitment made by the State party at the Supporting Syria and the Region conference in February 2016 to waive the "pledge not to work" requirement for Syrians and ease their access to jobs in sectors where they would not be in direct competition with Lebanese workers, such as agriculture and construction. Recognizing that the international community had not provided the State party with the funding it needed, she wished to know how the Government could better allocate the limited resources at its disposal to foster local development in ways that would benefit both the Lebanese and refugee populations.

27. **Mr. Martynov** asked whether any further changes had been implemented with regard to the minimum wage since the previous review of it in 2012.

28. **Mr. Kerdoun** asked whether the Government intended to remove the provisions allowing the use of corporal punishment in schools. He also wished to know what kind of citizen the Government wanted its education system to produce. How did the State party intend to foster cohesion in the education sector, and what role could education play in building a fair and cohesive society?

The meeting was suspended at 12.05 p.m. and resumed at 12.20 p.m.

29. **Ms. Abbas** (Lebanon) said that medical services were widely available in Lebanon. Public and private hospitals were governed by an accreditation system under which the Government established contracts with them. Hospitals were assessed on an annual basis and competed to obtain the best rankings in the assessment system. Medical care was provided to Palestine refugees through UNRWA and the Ministry of Health: 100 births per day among refugees were attended to, and medicines and treatment were provided for all chronic diseases or serious illnesses. The Ministry of Health provided health care to the

unemployed and other citizens at medical centres throughout Lebanon. Domestic workers could also access medical services through their employer.

30. Small and medium-sized enterprises were a pillar of the Lebanese economy, and plans were in place to improve the way in which they were organized. The Ministry of Economy and Trade provided such companies with loans, technical assistance, vocational training and protection against bankruptcy. A decree was being drafted to address the needs of all small companies and micro-enterprises, and a department was being set up within the Ministry of Economy and Trade to support them. An observatory or monitoring centre for small and medium-sized enterprises had been established, and such companies also received technical support from international organizations.

31. Contrary to what had been asserted by one Committee member, waste was not dumped in the sea but placed in landfills. When a landfill site was full, it was buried and isolated from the surrounding environment. Steps would be taken to increase the capacity of existing landfill sites, and plans were in place to move waste from a site that had been closed to two new State-funded sites, where environmental impact assessments would be carried out. Measures had been taken to protect the sea from leakage from landfill sites.

32. Lebanon was known to be a creative country, and the Government had implemented several large and small programmes to stimulate creativity, prioritizing projects that offered a high level of added value, such as those involving scientific research or technology transfer. The Bank of Lebanon had made interest-free loans available to fund such projects. Meetings had been set up between artists, industrialists, public institutions and potential investors in order to develop a project that would support creative endeavours sponsored by engineers and manufacturers. Small grants were made available to support start-ups, and the Ministry of Economy and Trade had drawn up a draft law that would exempt students from fees for registering patents.

33. Corruption was a global problem that affected all countries. In order to tackle the problem in Lebanon, a large number of bodies monitored the use of public funds. In particular, an accountability body existed to investigate violations with regard to implementation of the budget and refer the perpetrators either to audit courts or to the public prosecutor. All public officials who used public funds for illicit ends were held accountable.

34. Several medical doctors and education officials had been brought before the courts for misuse of public funds. Tenders for public projects, including one for the new landfill sites mentioned earlier, were scrutinized by monitoring organizations, and some had been rejected on the grounds that the proposed cost to the State would have been excessively high. A former Minister of Agriculture had been found guilty of bribery and sent to prison, and the President of the Refugee Fund had been imprisoned for misuse of public funds. Lebanon had adopted many regulations aimed at tackling corruption. In order to increase transparency, a number of ministries had signed agreements with civil society organizations. The Ministry of Economy and Trade had established the Consumer Protection Directorate, which audited institutions and companies in order to protect consumers. A partnership programme had been launched which enabled students to serve as trainee inspectors and accompany official inspectors on auditing missions. Over 800 students had participated in the programme over the previous two years.

35. Great difficulty was experienced in providing 24-hour electricity across the country. However, work was being carried out to create environmentally friendly power plants that were expected to be in operation by 2017. In the meantime, alternative means of generating electricity had been set up that would bridge the gap in supply until the power plants were built. The Ministry of Energy and Water planned to obtain 20 per cent of the country's power from renewable sources, including solar energy, by 2020. Other projects to create or

rehabilitate power plants were under way in different parts of the country but were hampered by financial constraints brought about, in part, by the enormous burden placed on Lebanon by the refugee crisis. However, plans which the Government had been unable to carry out were fulfilled by civil society through public-private partnerships.

36. The minimum wage had been established in 2012 and a new pay scale for the public sector had been drawn up. Any failure to implement government plans in that regard had been caused by the financial problems that Lebanon was experiencing, which were exacerbated by the closure of the border with Syria, the non-customs tariffs imposed on Lebanese exports and the failure of other countries to honour trade agreements.

37. **Ms. Riachi Assaker** (Lebanon) said that the urgency of the need to address the issue of refugees and displaced persons was reflected by the fact that both the Secretary-General of the United Nations and the President of the United States of America had called for summits to be held on the issue. The London Conference had issued many recommendations about the steps that should be taken to tackle the refugee crisis. However, 80 per cent of the outcomes of the Conference had not been acted on. In particular, the international community had failed to fulfil its pledges to support the host countries. Lebanon called on the international community to make good its promises and act on the decisions taken at the London Conference and other earlier conferences.

38. **Ms. Bou Hamdan** (Lebanon) said that inspectors and investigators from the Ministry of Social Affairs conducted visits to families, in collaboration with local authorities, in order to assess their financial situation. The information gathered was subsequently placed in a centralized database. All families were entitled to request an electronic card and could appeal against the decision once if their request was turned down. The information gathered through the project was periodically reviewed, and representatives of the Ministry visited the families who had been granted cards to ensure that they had a genuine need for them. Owing to the constraints placed on the Government by the crisis in the region, the financial support provided to low-income families was minimal and did not cover their needs. However, the Government was working with the World Bank in order to obtain additional funding.

39. **Ms. Riachi Assaker** (Lebanon) said that the many difficulties faced by Lebanon would not prevent it from fulfilling its commitments under the Covenant. Although the delegation's replies to the list of issues had not always been exhaustive, Lebanon was fully committed to respecting human rights and would continue to cooperate with the United Nations and other international organizations.

The meeting rose at 1.05 p.m.